

REMARKS/ARGUMENTS


The Office rejected Claims 1-33 under 35 U.S.C. §102(e) as anticipated by a publication to Borgmeier. The Borgmeier application published on May 20, 2004 from an application filed on August 26, 2003. The present application has a U.S. filing date of October 15, 2003 and claims priority to three prior-filed German applications (i.e., DE10248584.4, 10254278.3, and 10254279.1 filed on October 17, 2002, November 20, 2002, and November 20, 2002, respectively). Certified English translations of the priority documents are submitted concurrently herewith. Applicants submit that the certified English translations of the priority documents demonstrate a date of invention that is before the effective date of the Borgmeier publication as prior art. Applicants have thus antedated the prior art and the rejection under 35 U.S.C. §102(e) is overcome.

Applicants submit a Terminal Disclaimer in view of U.S. Application No. 10/647,335. Applicants submit that the Terminal Disclaimer obviates the double patenting rejection of the September 30, 2005 Office Action and respectfully request withdrawal of the rejection.

Applicants submit that all now-pending claims are in condition for allowance.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon



Stefan U. Koschmieder, Ph.D.
Registration No. 50,238

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)
SUK/rac